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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of: Docket No.: 4237-101 Conf. No.: 9677 Applicant: WAGONER **Art Unit:** 1655 Application No.: 10/723,777 Examiner: Patricia A. Leith Date Filed: November 26, 2003 Title: DERMATOLOGICAL Customer No.: 23448 COMPOSITION

FACSIMILE TRANSMISSION CERTIFICATE

I, Steven J. Hultquist, hereby certify that I am filing this document on the below-identified date in the U.S. Patent and Trademark Office, by facsimile transmission, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and transmitted to USPTO Central Fax No. (571) 273-8300.

Steven J. Hultquist

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October 30, 2006

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SUBMISSION OF REQUEST FOR CONTINUED EXAMINATION; AND AMENDMENT AND RESPONSE TO OFFICE ACTION MAILED JULY 31, 2006 IN U.S. PATENT APPLICATION NO. 10/723,777

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

A Request for Continued Examination (Form PTO/SB/30) is enclosed and submitted with this Amendment and Response, in reply to the July 31, 2006 Office Action in the above-identified application.

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DOCKET NO. 4237-101

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This RCE submission and Amendment and Response to the July 31, 2006 Office Action fulfill the requirements of 37 CFR §1.114, inasmuch as newly amended claims are presented, with distinguishing remarks not previously advanced in earlier prosecution of this application.

Entry of the Request for Continued Examination therefore is requested, with consideration of the application in view of the ensuing remarks concerning the patentable distinction of the amended claims over the prior art.

Amendments to the claims are presented beginning on page 3 hereof. Remarks responding to the July 31, 2006 Office Action begin on page 12 hereof.

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